

1 Edward D. Boyack, Esq.
2 Nevada Bar No. 5229
3 Christopher B. Anthony, Esq.
4 Nevada Bar No. 9748
BOYACK ORME & ANTHONY
5 7432 W. Sahara Avenue, Suite 101
6 Las Vegas, Nevada 89117
ted@boyacklaw.com
canthony@boyacklaw.com
7 702.562.3415
702.562.3570 (fax)
*Attorney for Defendant,
Canyon Crest Master Association*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

10 GUILD MORTGAGE COMPANY, a foreign
11 corporation,

Case No. 2:15-cv-00258-JCM-VCF

Plaintiff,

V.

14 PRESTWICK COURT TRUST; CANYON
15 CREST MASTER ASSOCIATION, a not for
profit corporation

**STIPULATION AND ORDER TO
EXTEND DISPOSITIVE MOTIONS
DEADLINE**

(First Request)

16 Defendants.

Defendants.

PRESTWICK COURT TRUST,

Counter-Claimant,

2

20 GUILD MORTGAGE COMPANY, a foreign corporation.

Counter-Defendant

23 Defendant, Canyon Crest Master Association (“HOA”), Defendant, Prestwick Court
24 Trust (“Prestwick”), and Plaintiff, Guild Mortgage Company (“GMC”) hereby stipulate to extend
25 the dispositive motions deadline for sixty (60) days due to the substitution of HOA’s counsel on
26 April 27, 2017.

27 This is the parties' first request to extend the dispositive motions deadline.

28 //

I. FACTUAL BACKGROUND

On February 12, 2015, GMC filed its complaint against HOA and Prestwick for quiet title and declaratory relief. [ECF No. 1]. On April 27, 2017, the Court entered an order granting HOA's Motion to Substitute Attorney, in which Christopher B. Anthony, Esq. of the law firm of Boyack, Orme & Anthony became HOA's attorney of record.

II. DISCOVERY COMPLETED TO DATE

1. GMC, HOA, and Prestwick all produced their initial disclosures pursuant to FRCP 26.
 2. All parties have responded to written discovery.
 3. FRCP 30(b)(6) Witness for Alessi & Koenig, LLC was deposed.
 4. FRCP 30(b)(6) Witness for HOA was deposed.
 5. FRCP 30(b)(6) Witness for Prestwick was deposed.
 6. GMC disclosed its expert appraiser.
 7. Prestwick disclosed its expert appraiser.

III. DISCOVERY REMAINING TO BE COMPLETED

None.

IV. REASONS AND GOOD CAUSE TO EXTEND DEADLINE

To establish good cause, one must show the party cannot reasonably meet the deadlines despite the diligence of the party seeking the extension. See *Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294-95 (9th Cir. 2000); *Mendez v. Fiesta Del Norte Home Owners Ass'n*, No. 2:15-cv-314-RCJ-NJK, 2016 WL 1643780, at *3 (D. Nev. Apr. 26, 2016).

On April 27, 2017, the Court entered an order granting HOA's Motion to Substitute Attorney, thereby appointing the law firm of Boyack Orme & Anthony as HOA's counsel of record. The HOA was previously represented by Alessi & Koenig, LLC, which has thus far not complied with the HOA's request for discovery and other documents issued prior to new counsel's retention. Accordingly, the HOA requests additional time, such that it may obtain such prior discovery and submit motion practice supported by all applicable evidence. Therefore, good cause exists to extend the dispositive motion deadline, currently set on July 17, 2017, by sixty

1 (60) days to September 15, 2017.

2 **V. PROPOSED SCHEDULE FOR CONDUCTING REMAINING DISCOVERY**

- | | | |
|---|--|------------------------|
| 3 | a. Initial expert disclosures: | NO EXTENSION REQUESTED |
| 4 | b. Rebuttal expert disclosures: | NO EXTENSION REQUESTED |
| 5 | c. Motions to amend pleadings/parties: | NO EXTENSION REQUESTED |
| 6 | d. Discovery cutoff: | NO EXTENSION REQUESTED |
| 7 | e. Deadline to file dispositive motions: | September 15, 2017 |

8 **VI. CURRENT TRIAL DATE**

9 No trial date has been set.

10 //

11 //

12 //

13 //

14 //

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 **VII. CONCLUSION**

2 The parties believe good cause exists to extend the dispositive motion deadline.

3 Dated this 14th day of July, 2017

4 **IT IS SO STIPULATED**

BOYACK ORME & ANTHONY	MCCARTHY HOLTHUS LLP
<p>5 <i>/s/ Christopher B. Anthony</i></p> <p>6 Edward D. Boyack, Esq. 7 Nevada Bar No. 5229 8 Christopher B. Anthony, Esq. 9 Nevada Bar No. 9748 10 7432 W. Sahara Avenue, Suite 101 11 Las Vegas, Nevada 89117 <i>Attorney for Defendant,</i> <i>Canyon Crest Master Association</i></p>	<p>5 <i>/s/ Thomas N. Beckom</i></p> <p>6 Kristin A. Schuler-Hintz, Esq. 7 Nevada Bar No. 7171 8 Thomas N. Beckom, Esq. 9 Nevada Bar No. 12554 10 9510 W. Sahara Ave., Suite 200 11 Las Vegas, Nevada 89117 <i>Attorney for Plaintiff,</i> <i>Guild Mortgage Company</i></p>
<p>12 LAW OFFICES OF MICHAEL F. 13 BOHN, ESQ., LTD.</p> <p>14 <i>/s/ Michael F. Bohn</i></p> <p>15 Michael F. Bohn, Esq. 16 Nevada Bar No. 1641 17 376 E. Warm Springs Rd., Suite 140 18 Las Vegas, NV 89119 <i>Attorney for Defendant,</i> <i>Prestwick Court Trust</i></p>	

19 **IT IS SO ORDERED**

20 Dated this 1st day of August, 2017



21
22
23

24 UNITED STATES MAGISTRATE JUDGE
25
26
27
28